

Good evening,

My name is Khalil Azar. I'm an engineer. My wife, Wafaa, and I have lived in Watertown for the past 35 years. The last thirteen years we have lived at Marcia Rd.

Recently the Oakley Country Club informed us and our neighbors of their intention to replace the chain link fence that is 12 feet from our back door with a stockade fence / wall.

I'm sure all of you saw the wall they put on both Common Street and Commonwealth Ave. They want to put similar one behind our houses.

This action will have major impact on the value of our properties and will deprive us of the view, which was a big factor in purchasing our property years ago. Instead of looking at a beautiful open green space we will be facing with ugly wall. A good example is Common street.

We are close to retiring. We are counting on our property as a major contributor to our retirement savings. This action by Oakley will create a major hardship in our lives due to its negative impact on the value of our property. In fact, a realtor I contacted estimated it would devalue the property by 50,000 dollars.

Focused on a good neighbor approach we tried our best to provide two alternatives to Dr. David Cancian, the Oakley Grounds chairman who unfortunately rejected both and insisted on putting a wall.

The two alternatives were :

1. Replace the fence with newer chain link fence or something similar

And/Or

2. Do hedge planting on our side of the chain link fence to provide visual screening to meet the club's concern about what they claim is

the unsightliness of our back yard.

If we go by Oakley records it is clear their wall plan started with Commonwealth Ave, then Common street, next if we allow them will be Marcia Rd. Rest assured they are not going to stop but continue adding this wall piece by piece hiding the view of green space we have enjoyed for years and impacting the value of our properties.

Our request to the Town Council is as first step, to send a letter to the club's leadership indicating the Council's concern with how the club is handling this issue and suggesting that they work with the neighbors to come to a mutually agreeable solution.

We request the Council's guidance and assistance in persuading the Club to work with us as a good neighbor would to find a mutually agreeable solution to this problem.

Thank you for all your help and support.

Wafaa & Khalil Azar

11 Marcia Rd.

Watertown

Letter to the Watertown Town Council, Dated May 14, 2013

Good evening, Council members. We are Edward and Jacquelyn McCarthy, owners of 5 Marcia Rd, where we have been residents for over 50 years and over 20 years respectively.

The proposed change, by the Oakley CC, to the existing chain link fence with a black wooden fence, like the one along Common Street, will negatively impact the enjoyment of our property at 5 Marcia Rd.

The chain link fence behind our house has been in place for 30 years, and represents what we consider the boundary between our lot and the golf course. In as much as we have openly used and maintained the land on the westerly side of the fence, this ground exists as part of our backyard.

A black, wooden fence will restrict the view we have come to enjoy these many years, have the effect of making our backyards smaller, and will absorb heat in the summer, making the area hotter.

We would like to see an alternative partition, such as low growing shrubbery, not more than five feet high, that would afford privacy for the golfers, yet not overly obstruct the view of the landscape to which we are accustomed.

We would like to have some input as to the type of barrier to be put in place that would mutually satisfy both parties, since we will be living with the outcome for many years.

Thank you.

Ed and Jackie McCarthy

A handwritten signature in cursive script that reads "Edward J. McCarthy, Jr." The signature is written in dark ink and is positioned to the right of the typed name "Ed and Jackie McCarthy".

Statement to Watertown Council on Oakley Country Club fencing
14 May 2013

I have lived on Marcia Road much of my life, at No. 27 abutting the golf course from the age of 5 to 20, again after years abroad, from 1987 to the present, across the street at No. 28. First there was no fence. Then there was.

In a recent fuss over fencing, the golf course cited Robert Frost as the authority for the saying, "Good fences make good neighbors". The speaker in his poem, clearly Frost himself, actually challenges this assumption. He says "Before I built a wall I'd ask to know what I was walling in and walling out" ^{and to whom I was like to give offense,} That's the question I'd like to see reviewed ^{this town} ~~today~~.

When there was no fence, the golf course deserved the term "good neighbor". There was tacit acceptance of public use as a right-of-way for Mt. Trinity Academy school children, joggers and walkers before and after golfing hours, children in the woods, snow-time play and other off-season activities. John Kelly^e "the Elder", marathon champion, trained there. Children had names for the trees they climbed.

Some of the public use amounted to abuse, and the golf course exercised the option of enforcing its proprietary rights as necessary. Much of this discretionary responsibility lay with the golf course policeman. Each of the three I got to know over the years meted out law and order with a fatherly hand. The one who spoke to my parents only had to speak to them once.

A fence, and now a wall. Whatever specific purposes these exclusionary devices were designed to serve, the unintended consequence has been to degrade good neighborliness. Even more than chain-link fencing, a wall symbolizes fixed positions – you there, me here. The cost of barrier erection and maintenance may be high, but not nearly as high as lost community good will.

I got my start as a professional field ecologist by stepping over the stone wall into the woods behind 27 Marcia Road every morning before school this time

of year to observe our magnificent spring bird migration and the breeding of resident birds. The first Garter Snake that ever bit me lived in the stone wall beside the second-hole green.

I do not support the current trend toward consolidation of Fortress Oakley. I support reversal of this trend. Informally over the years, I have voiced a ^{willingness to} ~~interest in~~ volunteering my expertise to help the Oakley Club restore the Country to its name. ~~repeat that offer now:~~ We can do better than this.

→ I'm still willing.

Patrick W Fairbairn

CHAPTER 95: NOISE REGULATIONS

Section

- 95.01 Prohibition of noise emissions
- 95.02 Definitions and measurements of noise
- 95.03 Duties and responsibilities of town departments
- 95.04 Exceptions
- 95.05 Enforcement
- 95.99 Penalty

§ 95.01 PROHIBITION OF NOISE EMISSIONS.

(A) No person owning, leasing or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow or permit unnecessary emissions from said source of sound that may cause noise.

(B) Division (A) of this section shall pertain to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.

(C) All devices employed in construction or demolition shall be prohibited from use during the hours of:

- (1) 7:00 p.m. to 7:00 a.m. from Monday through Friday;
- (2) 7:00 p.m. on Fridays through 8:00 a.m. on Saturdays; and
- (3) 7:00 p.m. on Saturdays through 8:00 a.m. on Sundays.

(Ord. 6, passed 9-13-1983; Am. Ord. 14, passed 3-12-1996) Penalty, see § 95.99

§ 95.02 DEFINITIONS AND MEASUREMENTS OF NOISE.

(A) The town hereby incorporates into and makes a part of this chapter the provisions of Chapter 310 Code of Massachusetts Regulations, Section 7.00 entitled Air Pollution Control Regulations.

(B) These regulations shall govern the definitions, measurement and restriction of sources of noise emission.

(C) For the purposes of this chapter, a **CONDITION OF NOISE POLLUTION** shall be a noise

source which increases noise levels 10 dB or more above the background noise level. If the noise level is judged by ear to have a tonal sound, an increase of 5 dB above background noise level is sufficient to cause noise pollution.

(Ord. 6, passed 9-13-1983)

§ 95.03 DUTIES AND RESPONSIBILITIES OF TOWN DEPARTMENTS.

(A) All town departments and agencies shall, to the fullest extent consistent with other laws, carry out their programs in such a manner as to further the policy of this chapter.

(B) All town departments and agencies shall comply with Federal and State laws and regulations and the provisions and intent of this ordinance respecting the control and abatement of noise to the same extent that any person is subject to such laws and regulations.

(Ord. 6, passed 9-13-1983)

§ 95.04 EXCEPTIONS.

This chapter shall apply to the control of all sound originating within the limits of the Town of Watertown except the following:

(A) The emission of sound for the purpose of alerting persons to the existence of an emergency or to the emission of sound in the performance of emergency work or in training exercises related to emergency activities.

(B) Noncommercial public speaking and public assembly activities as guaranteed by state and federal constitutions.

(C) Domestic equipment such as lawn mowers and power saws between the hours of 7:00 a.m. and 9:00 p.m.

(Ord. 6, passed 9-13-1983)

§ 95.05 ENFORCEMENT.

The Board of Health shall be the primary enforcement agency of the terms of this chapter. In addition, any Police Department or Fire Department official or building inspector or their designee, acting within their jurisdictional area, is authorized to enforce this chapter.

(Ord. 6, passed 9-13-1983)

§ 95.99 PENALTY.

(A) Any person who violates any provision of this chapter, if convicted, shall be fined no less than \$50 nor more than \$100 for the first offense and not less than \$200 nor more than \$500 for each succeeding offense.

(B) Each subsequent day or part thereof of violation of this chapter, whether the violation be

continuous or intermittent, shall be construed as a separate and succeeding offense.

Week-ends
8^{AM}-9PM
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Lois -
Lawn equipment can
operate from 7AM-9PM
A letter has been
sent out to Oakley
already due to
another complaint
regarding mowing
too early. Karen